

Appl. No. 10/667,405
Amdt. Dated 05 26, 2004
Reply to Office Action of 02 27, 2004

REMARKS

Applicant gratefully acknowledges the thorough Examination to date and has made an effort to fully respond to all the issues raised by the Examiner. Reconsideration of the application is respectfully solicited.

In the Specification

In the Specification, Applicant has amended paragraph [0010] to correct a minor editorial problem. Applicant has also amended paragraphs [0014], [0015], [0016], [0017], [0021], [0022], [0025], [0026], [0028] to reflect changes in the figure numbering. Applicant has also added paragraphs [0013.1] and [0013.2] to describe new figures, FIG. 1 and FIG. 2.

In the Drawings

In the Drawings, Applicant has added FIG. 1 and FIG. 2 to the application to illustrate one embodiment of the present invention, also claimed in the application, but not explicitly shown in a separate drawing.

In the Claims

Applicant has added claims 19 to 23 to the application to better define the invention.

Election/Restriction

The Applicant respectfully submits that the election and restriction requirement does not apply to the instant application. With respect to the plurality of embodiments shown in the Drawings, each of the figures is an embodiment of the same invention.

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The Applicant has claimed three embodiments of the invention covered independently in Claims 1, 10, and 13 respectively. Claim 1 provides an apparatus for growing at least one plant variety comprising a cover and a container. Claim 10 provides a cover for use with a container for growing at least one plant variety. Finally, Claim 13 provides a kit comprising a container for growing at least one plant variety and a cover for enclosing the container. Thus, the Applicant believes that the Claims are directed to single invention and reconsideration of the election/restriction requirement is respectfully solicited.

In compliance with 37 CFR 1.143 and in the event the election requirement is made final, the Applicant provisionally elects independent Claim 10, and Claims 11 through 12 and 19 through 23 which also depend from Claim 10.

Conclusion

Applicant respectfully submits that the election/restriction requirement has been overcome by the above amendments. Applicant confirms no new matter has been added to the application. Accordingly, reconsideration and allowance of this application is respectfully solicited.

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Should any further fees or payments be necessary for entry of this amendment and further prosecution of this application, the undersigned hereby authorizes the Commissioner to debit and/or credit our Deposit Account No. 16-0600.

Respectfully Submitted,

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Attachments